

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**AKIIA RASHIDA SMALL**

**Defendant.**

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**3:17-CR-561-M**

**GOVERNMENT’S MOTION TO DISMISS INDICTMENT WITH PREJUDICE**

The United States of America by and through the undersigned counsel, moves this Court to dismiss the indictment returned on or about October 24, 2017, that is currently pending against defendant, Akiia Rashida Small (herein “Ms. Small”), with prejudice. In support thereof, the government shows:

1. Ms. Small entered into a pretrial diversion agreement with the government on August 7, 2018.
2. That agreement required Ms. Small not to violate any law; to complete 40 hours of community service; report to a pretrial diversion supervisor; participate in treatment and counseling for substance abuse; continue in the care of a healthcare provider; and to pay restitution in the amount of \$3,500 to Southwest Airlines.
3. US Probation has notified the government that Ms. Small has complied with the conditions of this agreement.
4. A dismissal of the indictment would be appropriate in the interest of justice.

WHEREFORE, PREMISES CONSIDERED, the government asks that this Honorable Court dismiss the pending indictment against Ms. Small, with prejudice.

ERIN NEALY COX  
UNITED STATES ATTORNEY

/s/ Errin Martin  
ERRIN MARTIN  
Assistant United States Attorney

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APPROVED:

/s/ Stephen P. Fahey  
STEPHEN P. FAHEY  
Criminal Chief

**CERTIFICATE OF CONFERENCE**

I hereby certify that I have spoken with Ms. Small's attorney of record, Gabriel Reyes, and he is unopposed to the filing of this motion.

/s/ Errin Martin  
ERRIN MARTIN

**CERTIFICATE OF SERVICE**

I hereby certify that on July 19, 2019 I electronically filed the foregoing document using the Court's CM/ECF system, thereby providing service on attorneys of record.

/s/ Errin Martin  
ERRIN MARTIN